

Remarks

The indication that claims 5-6 and 19 have been allowed is acknowledged with thanks.

The Official Action objects to the drawings for not showing the linking tracks of claim 19. These are shown in Figure 6 as the lines leading from the respective elements  $E_{i,j}$  to the connecting cable CL. Withdrawal of the objection is respectfully requested.

Claims 1, 4, and 11 were rejected as unpatentable over KNAPP 5,325,442 in view of ROZIERE et al. FR 2 756 048. Claims 2 and 9 were rejected further in view of VRANISH 5,373,245; claim 7 was rejected further in view of COVELEY 5,952,835; claim 8 was rejected further in view of STANLEY et al. 6,703,845; claims 10, 12, and 14 were rejected further in view of LANE 5,623,552; claim 13 was rejected further in view of CRAWFORD 2002/0122006; claim 15 was rejected further in view of LIND 6,225,939; claim 16 was rejected further in view of MCDONNELL et al. 6,348,862; claim 17 was rejected further in view of HABRAKEN et al. 5,883,935; and claim 20 was rejected further in view of TRAVANTY et al. 4,987,583. Claim 1 has been amended and reconsideration and withdrawal of the rejections of claims 1-2, 4, 7-17, and 20 are respectfully requested.

The Official Action states that "Knapp also does not disclose the function limitation of "the antenna movably approaching an object or a body", however, as the claim is

directed an apparatus, the claim must be distinguished from the prior art in terms of structure rather than function alone. See MPEP 2114". (Emphasis added). MPEP 2114 seems to refer to one prior art reference and not to a combination of references. Applicant respectfully reminds that the Official Action of 07/06/2007 stated : "KNAPP does not disclose the electronic means comprise for each detection antenna, a floating capacitive bridge cooperating with polling means to measure sequentially the respective capacitance between each of the measurement electrode of antenna and the object or body to be measured." Thus, claim 1 is distinguished from KNAPP also in terms of structure.

As the Examiner has admitted that KNAPP does not disclose the function limitation of "the antenna movably approaching an object or a body", Applicant amends claim 1 by adding a "structure" limitation to the digital means. This limitation is notably based on page 7 lines 31-32, and page 11 lines 21-23.

The proximity detector according to the invention is intended to be used in moving machines. It measures in real time the distance between each electrode and the object. Applicant has amended claim 1 in order to express this notion of movement implied in a proximity detector. Indeed, the present invention clearly relates to dynamic detector:

"This proximity detector device allows an increase in the speed of displacement of current radiology machines, safety detection

(anti-collision),..." , see page 7, lines 20-22 of the specification,

"The proximity capacitive detector according to the invention allows control of the approach of a vascular positioner for medical application,...", see page 7, lines 27-29,

"Said device measures in real time several absolute distances (one distance per electrode) separating the surface of the detector cap and the surrounding objects such as a patient or the table." See page 7, line 31 - page 8, line 2.

"The range of the sensors is greater than 100 mm with a resolution of the order of millimetres, which allows control of the speed at which the detector approaches the patient to be optimised (maximum speed with minimum risk of impact)." See page 12, line 33 - page 13, line 3.

With the amended claim 1, Applicant is of opinion that KNAPP and ROZIERRE do not disclose digital means for controlling the electronic means and for calculating in real time, from the measurement signals thus processed, the absolute distances between said electrodes and said object or said body, said digital means controlling the antenna to movably approach the object or the body.

Thus, the combination of KNAPP with ROZIERRE does not lead to the present invention as claimed.

Claims 2, 4, 7-17, and 20 depend from amended claim 1 and are allowable for the same reasons.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Thomas W. Perkins/  
Thomas W. Perkins, Reg. No. 33,027  
209 Madison Street  
Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

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